

**BOARD OF SELECTMEN  
REGULAR MEETING  
December 17, 2009  
(Subject to Approval)**

**PRESENT:** First Selectman H. William Davis, Jr.  
Selectman Edward H. Gittines, III  
Selectman Carol S. Hubert  
Selectman Chad A. Landmon  
Selectman Joseph Santonocito  
Selectman John O. Turk

**ALSO PRESENT:** Town Clerk Ginger Salisbury, Treasurer Bill Sarosky, Land Use Administrator Deloris Curtis, Land Use/GIS Coordinator Nancy Van Norden, IT Consultant Jack Rutherford, Assistant to the First Selectman Jennifer Naylor, Office Manager Noreen Thompson, Interested Citizens, and Members of the Press.

**CALL TO ORDER**

First Sel. Davis called the Regular Meeting of December 17, 2009 to order at 7:42 p.m. in Room 205 of the Town Hall.

**PLEDGE OF ALLEGIANCE**

All joined in the Pledge of Allegiance.

**PUBLIC COMMENTS**

1. Charles Rosa of 61 Luna Trail, Chairman of the Parks & Recreation Commission spoke against appointing a separate building committee for the new bathhouse at the pool in Ballentine Park. He felt the Parks & Recreation Subcommittee appointed to study the parks, which recommended the new bathhouse to the Parks & Recreation Commission and to the Board of Selectmen, should be adequate to do a building of this size. He said the recommended second floor would only be over 25% - 30% of the building. He felt the building could be left to the Parks & Recreation Commission and Study Subcommittee because the Board of Selectmen and the Board of Finance must approve everything anyway.
2. Deborah Stevenson of 226 East Flag Swamp Road, attorney for another resident of Flag Swamp Road, wanted to know how to get on the Board of Selectmen's agenda.
3. Ken Korsu of 272 Old Woodbury Road congratulated the Board on their election and asked that the Republican members of the Board of Selectmen follow their campaign pledge to Put Southbury First.
4. Carol Renza of 799 Peter Road spoke in favor of a separate building committee for the new bathhouse and she thought said committee should stick to

the \$200,000 grant and not go over that amount. Also, Ms. Renza was concerned about checks and balances in town. She feels the town roads program needs more oversight.

#### **ANNOUNCEMENTS/CORRESPONDENCE**

1. Memo dated December 8, 2009 from the Director of Health giving a status report on the H1N1 Vaccination Program.
2. Memo dated December 9, 2009 from the Northeast Utilities System to the State DPUC with a notice of intent to file amended rate schedule.
3. Fire Marshal's report for November 2009.

#### **MINUTES**

**Upon a motion by Sel. Hubert, seconded by Sel. Turk, the minutes of the December 3, 2009 Regular Meeting of the Board of Selectmen were approved with First Sel. Davis and Selectmen Hubert and Turk voting aye and Selectmen Gittines, Landmon, and Santonocito abstaining.**

**Upon a motion by Sel. Turk, seconded by Sel. Santonocito, the minutes of the Organizational Meeting of the Board of Selectmen on December 7, 2009 were unanimously approved.**

#### **CONSENT AGENDA**

**Upon a motion by Sel. Turk, seconded by Sel. Gittines, the following items on the Consent Agenda were unanimously approved:**

##### **1. Appointments:**

**RESOLVED, that the Southbury Board of Selectmen hereby appoints the following to serve as members of the Emergency Medical Services Committee:**

##### **Heritage Village Ambulance Representative**

**David Rentz, term to expire on January 15, 2012**

##### **Southbury Ambulance Association Representatives**

**Suzanne Vetter, term to expire January 15, 2012**

**Burton Cieply, alternate member, term to expire January 15, 2012**

##### **Southbury Training School Representative**

**Thomas Bowlick, term to expire on January 15, 2012**

##### **Citizen Representatives**

**Gregory Skelly, term to expire on January 15, 2012**

**Caroline Somers, term to expire on January 15, 2012**

**RESOLVED, that the Southbury Board of Selectmen hereby appoints Edward Gittines to serve as a member of the IT Committee.**

**2. Refunds:**

**RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Tax Collector and in accordance with State Statute 12-129, hereby approves the refunds for a total amount of \$679.56.**

**STAFF REPORTS**

Treasurer Bill Sarosky was present to answer questions about his monthly report of Revenue & Expense Estimates. In answer to questions from Sel. Turk, Mr. Sarosky said the estimated tax collection from the Motor Vehicle Supplement was down \$53,645 because no one is buying new cars now. Also Mr. Sarosky said the cost of workers comp insurance came in a lot lower than anticipated. Sel. Hubert asked about the possibility of renegotiating the town's bonds. Mr. Sarosky replied that the Board of Finance has an eye on the possibility. In answer to a question from Sel. Gittines, Mr. Sarosky said that the new financial software has been installed in his office and it is being used and learned.

**PRESENTATION**

Edward Gore, Chairman of the Planning Commission and the Rural Preservation Advisory Committee, described for the new Board members the responsibilities of the Planning Commission and the RPAC. He introduced the Commission's Vice-Chairman Edward Hatfield and the professional staff DeLoris Curtis and Nancy Van Norden. Mr. Gore said the RPAC was formed in 1999 for the preservation of open space and working farms in Southbury. The goal is to have preserved 20% of Southbury as open space by 2012. Currently, he said, the open space is at 16% and it does not look likely the goal will be met. Mr. Gore said that the Planning Commission will be starting to update the 2002 Plan of Conservation and Development for 2012.

**UNFINISHED BUSINESS****1. Code of Ethics:**

First Sel. Davis noted two corrections that he had received: in Section D., it ought to be "If a formal *written* complaint..." and in Section L.2., Tax Collector should be removed from the list of town officers who can hold no other town office since in Southbury the tax collector is not elected and the other officers on the list are all elected.

Sel. Gittines suggested that for consistency sake the word "town" be inserted before "officer" in the first line of Section I.

In answer to a suggestion that "elector" be changed to "resident" in Section J. But, Town Clerk Ginger Salisbury pointed out that the Town Charter required members of the Town Boards and Commissions to be electors.

Sel. Hubert said she found John Michaels' comments during the Public Hearing interesting, including the comment that there is really nothing about ethics in the proposed Code. She noted the problem of talking about ethics is you know it (the lack of ethics) when you see it [but it's hard to define]. Sel. Hubert suggested asking the Town Attorney about putting in something about

ethics. First Sel. Davis said there was food for thought there. Sel. Landmon said he would be interested in language regarding crimes, etc. He noted that there must be language out there.

Sel. Landmon said that in the first line of Section E.2. he assumed the second "or" was meant to be "of".

First Sel. Davis appointed himself, Sel. Hubert, and Sel. Landmon to be a new subcommittee to look again at the proposed Code of Ethics/Conflict of Interest.

**Upon a motion by Sel. Turk, seconded by Sel. Hubert, it was unanimously agreed to table the proposed Code of Ethics/Conflict of Interest.**

## **2. IT Consultants:**

There was a discussion of whether to continue the contract of the IT Consultants from January 1<sup>st</sup> for another three months or for another six months (until the end of the fiscal year). IT Consultant Jack Rutherford noted the longer horizon would allow them to do projects which couldn't be done in the shorter window. First Sel. Davis said that one of the things the consultants were currently doing was helping Parks & Recreation get everything they can out of their software program. He said the consultants were also needed to help the Registrar's with their software. Mr. Rutherford pointed out that next year all of the PCs in the Town Hall were going to be replaced and updated with Windows 7. First Sel. Davis mentioned the idea of getting someone to come in and audit the town's IT needs. He also suggested the possibility of sharing an IT person with neighboring towns. Sel. Landmon suggested extending the IT Consultants contract for three months and asking the consultants for a written statement of what they would be doing in a second three months.

**Sel. Landmon moved that the IT Consultants' contract be extended for another three months. The motion was seconded by Sel. Santonocito. The motion failed with First Sel. Davis and Selectmen Landmon and Santonocito voting aye, and Selectmen Gittines, Hubert, and Turk voting nay.**

**Upon a motion by Sel. Hubert, seconded by Sel. Turk, it was agreed to extend the IT Consultants' contract for another six months from January 1, 2010 with five aye votes and Sel. Landmon voting nay.**

## **NEW BUSINESS**

### **1. Building Committee for Bathhouse Renovation:**

First Sel. Davis read the resolution appointing the committee. First Sel. Davis said that the bathhouse was a town building on town property and the town should build it, but that Parks & Recreation would have their input. Sel. Hubert said she agreed with that. She said there should not be a preconceived design, the Building Committee should assess the needs and determine the design. First Sel. Davis said he would like to see the building cost held to the \$200,000 Grant.

He pointed out that the new building would occupy the footprint of the old building. Mr. Davis said the construction should start next August or September so as to be complete by the next swimming season.

**Upon a motion by Sel. Turk, seconded by Sel. Santonocito, it was unanimously**

**RESOLVED, that the Southbury Board of Selectmen hereby appoints the following to serve as the members of the Building Advisory Committee for the Bathhouse Renovations at Ballantine Park:**

**Glenn Ackerman, Parks & Recreation Commission  
John P. Clark, 740 Southford Road, Unit 34  
Chad Landmon, Selectman  
John Michaels, Board of Finance  
Stuart Somers, 715 East Flat Hill Road**

**BE IT FURTHER RESOLVED, that the following will be non-voting members of the above Committee:**

**Tom Crowe, Director of Public Works  
William Sarosky, Treasurer  
Diane Schaefer, Parks & Recreation Director**

#### **REPORTS FROM SELECTMEN SERVING AS LIAISONS**

None

#### **ANY OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE MEETING**

##### **1. Appointments to Human Resources Subcommittee:**

**Upon a motion by Sel. Hubert, seconded by Sel. Santonocito, it was unanimously agreed to appoint Selectmen John Turk and Chad Landmon to serve with Sel. Hubert on the Human Resources Subcommittee of the Board of Selectmen.**

##### **2. Authorization of First Selectman to sign New Freedom Agreement:**

**Upon a motion by Sel. Hubert, seconded by Sel. Turk, it was unanimously agreed to add the authorization of the First Selectman to sign the New Freedom Program Agreement to the Agenda.**

First Sel. Davis explained that the New Freedom Program was a state and federal subsidy of \$8,000 for 2010 to expand transit services for seniors and people with disabilities by three hours a day, three days a week (nine hours weekly). Assistant to the First Selectman Jennifer Naylor said she has found no strings attached to this grant.

**Upon a motion by Sel. Turk, seconded by Sel. Hubert, it was unanimously RESOLVED, the Southbury Board of Selectmen hereby authorizes First Selectman H. William Davis, Jr. to execute an agreement and all related documentation with the State of Connecticut for grant funding towards transportation related services under the New Freedom Program.**

**3. Change of meeting time:**

There was a short discussion of changing the Board of Selectmen Regular Meeting time to 7:00 p.m.

**Upon a motion of Sel. Turk, seconded by Sel. Santonocito, it was unanimously agreed to leave the meeting time for the Board of Selectmen Regular Meetings at 7:30 p.m.**

**Sel. Turk moved, seconded by Sel. Santonocito, to adjourn the meeting at 8:43 p.m. All were in favor.**

Respectfully submitted,

Jocelyn Bagger